

New Legislation

Clerk's Annual Meeting
June 2021

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HB 1001 Budget Bill

- IC 33-37-5-25 Judicial insurance adjustment fee will be deposited into the State General fund instead of the judicial branch insurance adjustment account. The fee remains at \$1
- State Report may change



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HB 1002 Civil Immunity Related to COVID 19

- Specifies that a government entity or employee is not liable if a loss results from an act or omission arising from COVID-19 unless the act or omission constitutes gross negligence, willful or wanton misconduct or intentional misrepresentation.



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HB 1110 Small Claims Court

- IC 33-28-3-4 – Small claims court has jurisdiction over actions where the amount to be recovered does not exceed \$10,000. This raises the threshold for small claims court from claims that don't exceed \$8,000.
- IC 33-29-2-4 - Small claims docket has jurisdiction over civil actions where property sought does not exceed \$10,000.
- IC 33-31-2-3; IC 33-31-2-3 and IC 33-34-3-2 and 3 also reflect the increase in the threshold for small claims of \$10,000.



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HB 1169 Cybersecurity Incidents

- IC 4-13.1-2-9 – Requires a political subdivision to report any cybersecurity incident to the State office of IOT without unreasonable delay and not later than two business days after discovery in a format prescribed by the chief information officer.



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HB 1271 DLGF

- IC 6-1.1-20-3.6 effective 7-1-21 – Controlled project with intent to issued debt and impose a debt service levy, the Auditor will calculate the estimated percentage of property tax increased on a homestead or business property and that estimate will be included in the public question on the ballot. DLGF shall prescribed the manner.
- IC 33-32-5-1 effective 7-1-21 – Marriage license fee increases from \$10 to \$15. Fee paid to the State. Marriage certificate fee increases from \$8 to \$10 for Indiana resident. \$2 of the fee is to be deposited into the Clerk's Record Perpetuation fund and \$8 into the County General fund. (\$48 for out of state resident)



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HB 1271 DLGF

- IC 33-34-8-1 effective 7-1-21 raises bailiff's service of process by registered mail or certified mail from \$13 to \$15 and personal service of process by the bailiff or other process server from \$13 to \$15.
- IC 33-37-5-2 effective 7-1-21 adds the \$2 fee from a marriage certificate to revenue to the Clerk' Record Perpetuation fund. Also adds the language "**the operation of a case management system**" to the allowable uses of the fund.
- IC 33-37-5-3 effective 7-1-21 increases the document fee from \$1 to \$3 for each certificate under seal attached in authentication of a copy of any record, paper or transcript.



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HB 1271 DLGF

- IC 33-37-5-20 effective 7-1-21 retains the document storage fee of \$5 and removes the language to reduce the fee to \$2 after July 1, 2022.
- IC 36-1-8-5.1 effective 1-1-21 and allows transfers to the Rainy Day fund to be 15% of the total annual budget of the political subdivision. This increase is in effect until December 31, 2024, when it returns to 10%.



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HB 1365 Various Election Matters

- Title 3 changes
 - Voter Registration changes
 - Poll books and ballots
 - Absentee and provisional voting



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HB 1437 Electronic Meetings and Signatures

- Allows a member of a governing body of a political subdivision to participate in a meeting electronically as long as:
 - A written policy is adopted establishing procedures
 - Technology allows simultaneous communication between members and public
 - 50% of members are physically present
 - Bill allows member attending electronically to be counted for quorum
 - Member attending electronically can participate in final action taken
 - Provides that if a statute requires a manual signature for attesting an obligation, an electronic signature has the same forces and effect as a manual signature



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SB 260 Circuit Court Clerk Matters

- Title 3
 - Precinct Election Officers
 - Precincts
 - Polling Places
 - Scanning Absentee Ballots



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SB 398 Various Election Matters

- Title 3
 - Non-Governmental Election Funds
 - Election Notices
 - Absentee Voting
 - Referendum Certification
 - Residence change and voting on public questions



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